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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,) CR No. 07-0267 PJH
Plaintiff,) STIPULATION AND [PROPOSED] ORDER
v.) EXCLUDING TIME
JUAN ALARCON-BAUTISTA, aka)
Ernesto Bautista-Perez, and aka Sergio)
Vasques Lucas,)
Defendant.)

On May 10, 2007, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from May 10, 2007 to May 23, 2007 for effective preparation of counsel in that the government intends to produce additional discoverable documents to defense counsel shortly. Additionally, the parties represented that granting the continuance was the reasonable time necessary for effective preparation of counsel, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B). The parties also agreed that the ends of justice served by granting such a continuance outweighed the best

1 interests of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8)(A).

2 SO STIPULATED:

3 SCOTT N. SCHOOLS
4 United States Attorney

5 DATED: May 10, 2007

6 /s/
7 JULIE A. ARBUCKLE
8 Assistant United States Attorney

9 DATED: May 10, 2007

10 /s/
11 JOSH COHEN
12 Attorney for Defendant Juan Alarcon-Bautista

13 As the Court found on May 10, 2007, and for the reasons stated above, the Court finds that
14 the ends of justice served by the continuance outweigh the best interests of the public and the
15 defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
16 calculations from May 10, 2007 to May 23, 2007 for effective preparation of defense counsel.
17 See 18 U.S.C. §3161(h)(8). The failure to grant the requested continuance would deny counsel
18 reasonable time necessary for effective preparation, taking into account the exercise of due
19 diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B).

20 SO ORDERED.

21 DATED: May 11, 2007

